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IN THE SUPERIOR COURT OF STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,

Plaintiff,

v.

STEVEN CARROLL DEMOCKER,

Defendant.

Cause No. P1300CR20081339

Division 6

STATE'S RESPONSE TO DEFENDANT'S  
MOTION *IN LIMINE* RE: DNA-  
RELATED TESTIMONY

The State of Arizona, by and through Sheila Sullivan Polk, Yavapai County Attorney, and her deputy undersigned, hereby submits its Response to Defendant's Motion *in Limine* re: DNA-Related Testimony and requests that the Motion be denied, specifically Defendant's request to include these issues in the hearings scheduled the week of January 12, 2010. To date, none of the State's DNA experts has been interviewed by the defense team, therefore, all objections regarding their anticipated testimonies are based solely upon conjecture and supposition and are exceedingly premature.

More importantly, any attempt to limit the scope of the testimony by excluding the use of words and phrases such as "inconclusive," "could not eliminate," and "could not exclude" where those words and phrases are either are part of the scientific findings or are synonymous with the findings is ludicrous. The State's witnesses will give accurate and complete testimony

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1 regarding the testing methodology, the results, and the scientific conclusions drawn from those  
2 results.

3 Again, Defendant's Motion is premature and should not be heard during the week of  
4 January 12 through 15, 2010.

5 RESPECTFULLY SUBMITTED this 4<sup>th</sup> day of January, 2010.

6  
7  
8 Sheila Sullivan Polk  
YAVAPAI COUNTY ATTORNEY

9  
10 By: for Joseph C. Butner  
11 Deputy County Attorney

12  
13 COPIES of the foregoing delivered this  
14 4<sup>th</sup> day of January, 2010 to:

15 Honorable Thomas J. Lindberg  
16 Division 6  
Yavapai County Superior Court  
(via email)

17 John Sears  
18 107 North Cortez Street, Suite 104  
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19 Attorney for Defendant  
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21 Larry Hammond  
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26 By: Web Cornell